

Paula Wilson

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Sent: Monday, June 21, 2010 4:08 PM

To: Paula Wilson; Lisa Carlson; Martin Bauer

Cc: McIntyre, Krista K.

Subject: Comments on the scenarios

Importance: High

Attachments: implementation scenarios.rtf

Paula, Marty, and Lisa: Attached are comments on the mercury scenarios outline submitted on behalf of Simplot, Nu-West, and TASCO. We didn't have any comments on the rule language.

Thank you. Krista McIntyre

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DEQ Hearings Coordinator
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Implementation Scenarios

[Comment: need to insert language about unique application of MBACT to sources other than modified source for this rule, and not precedent of other interpretations of BACT applicability.]

Scenario 1 – new facility with PTE of 25 lbs of mercury – all sources within new facility which have potential mercury emissions are subject to an MBACT analysis – PTC Section 215

Scenario 2 – modification to existing facility – new source at an existing facility with, or modification to an existing facility that involves a physical change or change in method of operation that increases mercury emissions by, a PTE of 25 pounds or more, facility actual emissions below 62 pounds – new source or modified sources affected by the modification are is subject to an MBACT analysis – PTC – Section 215

Scenario 3 – modification to exiting facility – new source, or physical change or change in method of operation that would result in a PTE of less than 25 pounds yet will bring total facility actual emissions above 62 pounds is not subject to MBACT under PTC Section 215, but is subject to –MBACT analysis for all sources that emit mercury – Tier II - Section 401.02.ii – application due within 12 months

Scenario 4 – modification to existing facility – new source, or physical change or change in method of operation that increases potential mercury emissions 25 pounds and facility above 62 pounds – MBACT analysis ~~for all sources that emit mercury~~ modification – PTC Section 215, and then Tier II within 12 months of actual emissions exceeding 62 pounds – or obtain 1 permit that meets all requirements of 215 and 401.02.

Scenario 5 – modification to existing facility – new source, or physical change or change in the method of operation, that would result in a PTE of less than 25 pounds – facility has a Tier II with MBACT per Section 401.02.ii

- a) if new source that doesn't affect Tier II MBACT, then include MBACT for new source upon Tier II renewal

- b) if new source does not affect Tier II MBACT, then modify Tier II prior to operation of new source
- c) if ~~physical change or change in the method of operation~~ modification of existing emissions unit subject to Tier II MBACT, then ~~modify~~ review if Tier II - MBACT analysis conducted in previous 10 years remains valid